

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOANN E. THOMAS,
Defendant.

NO. NO. 2:19-cr-00210-RAJ

ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' motion for an order forfeiting, to the United States, Defendant Joann E. Thomas' interest in a sum of money in the amount of \$227,603.77, representing the proceeds she obtained from her commission of the offense of *Conspiracy to Commit Mail Fraud and Wire Fraud*, in violation of 18 U.S.C. § 371 (Count 1).

The Court, having heard the evidence presented at trial, and after considering the United States' motion, and any responses thereto, hereby FINDS an Order of Forfeiture is appropriate because:

- Defendant Joann E. Thomas has now been convicted of *Conspiracy to Commit Mail Fraud and Wire Fraud*, in violation of 18 U.S.C. § 371. The proceeds of such offenses are forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C) by way of 28 U.S.C. § 2461(c).

- 1 • The evidence presented at trial established that Defendants Allan B.
2 Thomas and Joann E. Thomas conspired together and acted in concert to
3 execute a scheme to defraud King County.
- 4 • The evidence presented at trial established that Defendants Allan B.
5 Thomas and Joann E. Thomas personally obtained a total of \$455,207.55 in
6 proceeds from this offense.
- 7 • The evidence presented at trial established that Defendants Allan B.
8 Thomas and Joann E. Thomas used the proceeds they personally obtained
9 from this offense to benefit their marital community.
- 10 • The evidence presented at trial established that it is appropriate to attribute
11 \$227,603.77 of the total proceeds Defendants personally obtained from the
12 offense to Defendant Joann E. Thomas.
- 13 • This sum of money is personal to Defendant Joann E. Thomas. Pursuant to
14 Federal Rule of Criminal Procedure (“Fed. R. Crim. P.”) 32.2(c)(1), no
15 third-party ancillary process is required before forfeiting it.

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17 NOW, THEREFORE, THE COURT ORDERS:

18 1. The forfeiture of a sum of money in the amount of \$227,603.77,
19 representing the proceeds Defendant personally obtained from her commission of
20 *Conspiracy to Commit Mail Fraud and Wire Fraud*, in violation of 18 U.S.C. § 371
21 (Count 1). The United States agrees it will request the Attorney General apply any
22 amounts it collects toward satisfaction of this forfeited sum to the restitution that is
23 ordered in this case. The United States has also agreed that any amount Defendant pays
24 toward restitution will be credited against this forfeited sum.

25 2. Pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c),
26 Defendant Joann E. Thomas’ interest in the above-identified sum of money is fully and
27 finally forfeited, in its entirety, to the United States.

1 3. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) – (B), this Order will become
2 final as to Defendant at the time she is sentenced; it will be made part of the sentence;
3 and it will be included in the judgment;

4 4. No right, title, or interest in this sum of money exists in any party other
5 than the United States;

6 5. Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this sum of money,
7 in whole or in part, the United States may move to amend this Order, at any time, to
8 include substitute property having a value not to exceed this sum of money; and

9 6. The Court will retain jurisdiction in this case for the purpose of enforcing
10 this Order, as necessary.

11 IT IS SO ORDERED.
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13 DATED this 9th day of May, 2023.



14
15 The Honorable Richard A. Jones
16 United States District Judge
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